



**Convention on the
Rights of the Child**

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**List of issues in relation to the fourth periodic
report of Georgia**

Addendum

Replies of Georgia to the list of issues*

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Part I

1. National policy and strategy for the implementation of the Convention

1. In 2014, Georgia adopted its first comprehensive long-term Human Rights Strategy (2014-2020) and the subsequent Action Plans for the period of 2014-2015 and 2016-2017, which were elaborated in a transparent manner with the active involvement of the civil society and international actors.

2. The Action Plan contains special chapter dedicated to the children's rights and it defines concrete measures to be implemented by the Government.

3. The seven-year strategy was elaborated on the bases of the recommendations from the national human rights institutions — the Public Defender, the UN Office of the High Commissioner for Human Rights (OHCHR), national and international human rights NGOs, and specifically the country report by the then EU Special Adviser on Legal Reform and Human Rights in Georgia. Moreover, Strategy strengthens the human rights based approach which will drive the state policy and programs and determine right-holders and duty-bearers in each particular case. The Strategy explicitly requires from the state to respect, protect, fulfill and promote human rights.

4. Human Rights Inter-Agency Council and Special Secretariat under the Prime Minister are responsible for the effective implementation and monitoring of the Action Plan. The Council brings together ministers as well as civil society representatives and international organizations with the right to vote, and is accountable before the Parliament on the basis of annual reports. As an additional guarantee for the effective implementation of the Action Plan, the Human Rights Secretariat, responsible for productive Inter-Agency coordination and close monitoring of the execution of the Action Plan was created in the Administration of the Government, Prime Minister's Office. Once in 6 months relevant state agencies provide a report to the secretariat according to indicators set by the Action Plan.

2. Child's Rights Centre of the Office of the Public Defender

5. The Center for Child's Rights has been functioning in the Public Defender's Office since 2001. The Center is guided by the Constitution of Georgia, relevant international conventions and treaties, the Organic Law on Public Defender, the regulations of the Public Defender's Office and other laws. The functioning of the Center is based on the principles of the United Nations Convention on the Rights of the Child.

6. The Center is aimed at supervising protection of child's rights and freedoms and promoting realization of the rights, as well as encouraging changes to the procedures and laws for the children's welfare and raising public awareness on the child's rights.

7. Objectives of the Center are:

- To monitor implementation of the UN Convention on the Rights of the Child as well as the national and international acts on child's rights;
- To monitor children's institutions and prepare relevant reports;
- To detect and survey certain cases of violation of child's rights as well as to respond to them;
- To consider citizens' applications and complaints on alleged violation of the child's rights; to prepare recommendations and proposals for the legislative and administrative bodies;

- To carry out educational activities for promotion of child's fundamental rights and freedoms and raising public awareness in this field.

8. Any person, including juveniles, may apply to the Public Defender's Office. Applications will be accepted by the Department for Reception of Citizens of the Public Defender's Office. The service rendered by the Center is free of charge.

9. It should be noted that the budget of the Public Defender's Office increased by EUR 620 000 which is 68% higher than in 2014. In 2015 the budget allocation reached 4.000.000 (Four million) GEL, while the budget allocation in 2016 is 4.500.000 (increased by 12.5 %). According to regulations of the Office of the Public Defender of Georgia (PDO), the Office of the PDO is responsible for budget and financial planning as well as organization of the policy of human resources.

3. Definition of child and age of marriage

10. Pursuant to Georgian legislation adult is a person who has attained age of 18. Early childhood shall be defined as the period below the age of 7 years. Child under the age of 7 is considered to have no legal capacity.¹ Person from the age of 7 to 18 years has limited legal capacity.² Person who has attained the age of 18 is considered to possess full legal capacity.³ However, a person may acquire legal capacity if he or she marries before the attainment of the age of 18.⁴ Legal capacity is ability of a natural person to acquire and exercise his/her civil rights and duties in full by his will and action.⁵ Passive legal capacity of a person — the ability to have civil rights and bear duties — shall arise from the moment of the person's birth.⁶ The child under the age of 7 indisputably has the right to life, survival and development; right to non-discrimination and right to protection of his/her best interests.⁷ The right to inherit shall arise upon conceiving.⁸ To ensure the protection of child's rights legal representatives (usually parent/parents) represent his/her interests. In this regard, legislation does not make any difference between girls and boys.

11. According to the amendments to the Civil Code of Georgia adopted by the Parliament of Georgia on 16 December 2015, the provisions allowing to enter into marriage from the age of 16 with the consent of parents or legal representative (curator) was removed. Therefore, current minimum age of marriage in Georgia is 18. However, it should be noted that according to the legal amendments mentioned above a transitional provision was also introduced to the Civil Code, which stipulates that a marriage of a person of 17 may be allowed only by his consent and with court approval and only if such legitimate excuse as child birth is in place. The given transitional provision will be in force until 1 January 2017.

12. Criminal legislation of Georgia in line with the Civil Code defines a minor as a person under the age of 18.⁹ Thus, liability of a minor for an administrative offence shall arise if he/she has attained the age of 16,¹⁰ whereas in order to be held criminally responsible a minor must attain the age of 14.¹¹

¹ Article 12.4, Civil Code of Georgia (1997).

² Article 14.1, Civil Code of Georgia (1997).

³ Article 12.2, Civil Code of Georgia (1997).

⁴ Article 12.3, Civil Code of Georgia (1997).

⁵ Article 12.1, Civil Code of Georgia (1997).

⁶ Article 11.1, Civil Code of Georgia (1997).

⁷ As envisaged by the respective provisions of General Comment No. 7 (2005) to the UN CRC regarding Implementation of child rights in early childhood.

⁸ Article 11.2, Civil Code of Georgia (1997).

⁹ Article 13.1, Juvenile Justice Code of Georgia (2015).

¹⁰ Ibid.

¹¹ Ibid.

4. Legal definition of the best interests of the child

13. Georgian civil legislation does not envisage precise definition of the best interest of the child. The extent of the best interests of the child is determined on the case by case basis in accordance with Article 3 of the UN Convention on the Rights of the Child, which is an integral part of Georgian legislation.¹²

14. On the other hand, the legal definition of the best interest of the child is enshrined into the new standalone and specialized Juvenile Justice Code, which was adopted on June 12, 2015 and enacted since January 2016.

15. According to Para. 4 of Article 3 of the Juvenile Justice Code the best interests of a minor is defined as the interests of safety, well-being, healthcare, education, development, re-socialisation and rehabilitation and other interests that are determined in accordance with international standards and the individual characteristics of a minor, and taking into account his/her opinion.

16. It is worth noting that the new Juvenile Justice Code foresees the specialization of those persons, including investigators, prosecutors, police officers, who are involved in juvenile justice process, in order to protect the best interest of the child. Currently, around 188 prosecutors are specialized in juvenile justice issues.

17. Furthermore, in order to promote the proper implementation of the Juvenile Justice Code and protection of the best interest of the child, the Chief Prosecutor's Office has developed internal recommendations for the law-enforcement officials.

5. Adequate safeguards against the torture and inhuman or degrading treatment or punishment of children by police

18. The Government of Georgia is committed to enhancing effective safeguards to protect children from torture and other forms of ill-treatment. To this end number of profound reforms has been undertaken in recent years. Mr Jean E. Mendez, the United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, who visited Georgia on 12-19 March 2015 was impressed by tangible and substantial progress in terms of torture prevention attained since October 2012. The Public Defender of Georgia has also acknowledged the improvement of the situation with respect to combating torture and other forms ill-treatment and publicly noticed that torture does not represent a systematic problem in the penitentiary system of Georgia.

19. On 18 May 2015, the Interagency Coordinating Council on Combating Torture and Other Forms of Inhuman, Cruel or Degrading Treatment or Punishment (hereinafter — "Anti-Torture Council"), chaired by the Minister of the Justice of Georgia, approved the 2015-2016 Action Plan on Combating Torture and Other forms of Ill-treatment. The goal 1.7 of the Action Plan envisages the enhancement of effective protection of children and other vulnerable groups from ill-treatment. The activities prescribed by the Action Plan provide for complex analyses of legislation as well as further structural and institutional measures to ensure effective response in case of alleged ill-treatment in order to achieve this goal. The Action Plan is currently in the process of implementation. Based on the assessment of the current Action Plan and recommendations submitted by the Public Defender's Office, international organizations and local NGOs, the secretariat of the Anti-torture Council is preparing the draft of the subsequent action plan, which is due to be shared with all stakeholders for feedbacks and recommendations.

20. General inspection of the Ministry of Internal Affairs monitors the proper accomplishment of duties and the rule of law by the police staff. In this regard, General

¹² Article 6.1, Law of Georgia on International Treaties of Georgia, (1997).

inspection studies and reacts on the complaints of the citizens which are reported in written form, verbally, via social media or hot lines “126” or/and “112” functioning 24/7. All calls are recorded and monitored.

21. Each complaint is forwarded to the main division for monitoring, analysis and coordination in order to process statistical data. Statistical data includes information regarding juveniles. If the complaint contains elements of crime, the case is transferred to the prosecutor’s office of Georgia for further investigation.

22. According to 2016 (January-June) statistical data of General Inspection in allegations against police about the violations of juvenile’s rights have not been proved.

23. In order to raise awareness about the hotline in the population, active media campaign has been conducted via TV and other media means. Along with this, General Inspection actively cooperates with different governmental and non-governmental organizations and the Public Defender’s Office.

6. Child protection referral procedure

24. Protection of children, especially those who are suspected of being subject to abuse, neglect and/or any other type of violence, is one of the main priorities of the Government of Georgia. In this regard, the special working group created under the Inter-agency Council on Combating Trafficking in Human Beings (hereinafter — the “THB Council”) elaborated the new Child Protection Referral Mechanism, which was adopted by the Government Decree on 12 September, 2016. Notably, adoption of the new referral mechanism upon the Governmental Decree was based on the legal amendments introduced to the Law on Combating Domestic Violence on 22 June, 2016.

25. The revision of the Child Referral Mechanism is aimed at expanding the list of responsible entities for referring child violence cases to the relevant agencies. If based on the previous Child Protection Referral Mechanism adopted by the Joint Order only the Ministry of Interior, the Ministry of Education and Science and the Ministry of Health, Labour and Social Affairs were involved in child referral mechanism, according to the new referral mechanism, the all governmental institutions and their structural units, Legal Entities of Public Law (LEPL), medical institutions and local municipalities are obliged to refer the possible case of child violence to LELP Social Service Agency (hereinafter — SSA) and the police.

26. The following agencies are involved in the procedure: the authorized units of the Ministry of Internal Affairs (police), corresponding institutions of the Ministry of Culture and Monument Protection, the Ministry of Sport and Youth Affairs, the Ministry of Corrections and its LEPL-s, Prosecutors Office, LEPL — “Crime Prevention Center”, Kindergartens, LEPL — “Educational Institution of Resource Officers”, educational and extracurricular art or/and sports educational institutions, Children’s specialized institutions, medical institutions and doctors; Municipality/City Hall (Tbilisi Municipality — Municipal District/its authorized facility).

27. The revise mechanism provides guidelines for the social workers in Georgia, which are continuously trained about prevention, identification and referral of such cases. Social workers successfully cooperate with the police as well as with the educational institutions. All types of violence against children are referred to social workers.

28. Additionally, the Decree on the adoption of the new referral mechanism aims at strengthening the role of social worker while separating the child from the violent environment. Previously only the police was authorized to remove child from family in order to protect a child from any kind of violence, however, since enactment of the new referral mechanism, the social worker is also entitled to assess the situation and decide to

remove the child from family or environment where the violence was committed. Social workers involve schools and specialized institutions while monitoring certain cases. The subjects involved in the referral procedures exchange information, which is considered confidential.

29. In 2014, there have been 86 referrals from police, 35 — from schools and 19 — from medical institutions. In 2015, there were 186 referrals from police, 112 from schools and 22 from medical institutions. In 2016, there are 83 referrals from police, 75 referrals from schools and 18 referrals from medical institutions up to date.

30. In 2016, an amendment was made to the “Law on Domestic Violence Prevention, Protecting and Helping the Victims of Domestic Violence”. According to the amendment the role and power of the social worker has been increased. In certain cases, a social worker is authorized to separate a child from a perpetrator (family member, legal guardian, etc.) without court order.

31. Training courses are provided on the topics of children living and working in the street and on violence in order to improve the qualification of social workers. At this stage, the training course is given to the 19 chief social workers and it is planned to carry out the training for 229 social workers during October and November in 2016.

32. Georgian general education institutions have developed and approved the internal rules for combating violence against children. In case of identification of violence against children, information from school is submitted to LEPL Social Service Agency (under the Ministry of Labour, Health and Social Affairs) and when necessary to Ministry of Internal Affairs of Georgia as well.

33. On the basis of the given rule, persons who are responsible for handling the referral procedures for children protection and who are responsible for ensuring observance of this rule, were appointed. These appointed persons are Resource Officers of Educational Institutions, so called Mandaturi. In case of absence of Mandaturi — school principal/deputy school principal will be entrusted to perform these duties.

34. Trainings are to be provided for these persons as to enable them to detect, identify instances of violence and respond to them adequately and rapidly. To this end, all School Resource Officers (alias Mandaturis) across Georgia were retrained in basic skills to identify violence. They also undertook trainings modules as follows: age-peculiarities of children, psychological health of children and adolescents, consequences of violence against children, traumatic stress, conflict management and issues related to forced marriage.

35. There are psychological Service Centers functioning under the auspices of the Resource Officer of Educational Institutions in 7 cities of Georgia with the aim to provide psycho-social services to relevant subjects, including, those juveniles (children, minors), who are victims of violence, including domestic violence.¹³

36. In addition to this, Psychological Service Centre functioning under the LEPL Office of Resource Officer of Educational Institutions (alias Mandaturi) has been implementing the standing program “Violence against children, redirection procedures in case of the need for child protection” since March 2015. In the framework of the program, psychologists and social workers of the LEPL Office of Resource Officer of Educational Institutions provide training activities for persons who are nominated by schools and are responsible for the

¹³ 7 Psychological Service Centers under LEPL Office of Resource Officer of Educational Institutions (Mandaturi) are already operating across Georgia, namely in Tbilisi, Kutaisi, Batumi, Gori, Telavi, Rustavi and Poti.

referral procedures. The trainings are focused on the area of violence identification, response to it and its prevention.

37. Apart from maintaining security of pupils on the territory of educational institutions, LEPL Resource Officer of Educational Institutions also takes care of their psychosocial rehabilitation. 7 Psychological Service Centers under LEPL Office of Resource Officer of Educational Institutions (Mandaturi) are already operating across Georgia, namely in Tbilisi, Kutaisi, Batumi, Gori, Telavi, Rustavi and Poti.

38. The services of multidisciplinary group (psychologist, psychiatrist, and social worker) of psychological service is comprised of the following activities: individual consultation, individual therapy, group therapy, development and organization of thematic trainings and programs. After the problem is identified, Psychological Centre provides assistance to children, teenagers and their family members to identify behavioral and emotional problems, determine underlying reasons and their management.

39. In September 2016, LEPL Office of Resource Officers of Educational Institutions has launched the program “Identification and prevention of violent and behavioral disorder”. In the prevention phase of the program, psycho education and trainings will be held on violence related problems for pupils, teachers and parents. The main purpose of the program is to minimize and reduce mentioned problems. The given program will help participants in identification and preparation of adequate responses in situations when violence occurs. If problem is identified, children and adolescent will be engaged in therapy process. The implementation of the pilot phase of the program was started in June 2016.

7. Child marriage

40. The main mission of the Ministry of Education and Science of Georgia with respect to fighting against early marriage is to plan and provide the whole set of preventive measures in order to raise awareness.

41. Carrying out information campaign for parents about the risks and negative consequences of early marriage is crucial in order to prevent early marriages. To this end, since 2015, the Ministry of Education and Science has started introducing a special program for parents. One of strategic directions of this program is to familiarize parents with legal consequences and health related risks emanating from early marriages.

42. In the scope of “Parent’s education and involvement subprogram” various activities are regularly held in the regions, where the cases of early marriage occur most frequently. The meetings at public schools are held for parents to discuss the risks associated with early marriage. Representatives from the Ministry of Education and Science of Georgia, psychologists, local law enforcement officer, local social worker are involved in such meetings.

43. Since 2015, 19 of such public meetings have been held in villages of Lagodekhi, Sagarejo, Bolnisi, Marneuli, Gardabani, Dmanisi Municipalities (Kabala, Karajala, Uzuntala, Ganjala, Nakhiduri, Kvemo Bolnisi, Taqalo, Mughanlo, Keshalo, Iormunghalo, Lambalo, Duzagrama, Kalinino, Qesalo, Amamlo, Karabulakhi, Talaveri). Field visits are planned to continue in 2016 in different regions of Georgia.

44. Developing of the electronic guide for parents is underway, with regular publications of psychologists and legal experts on all types of violence, including the prevention of early marriage. Electronic guide will be translated into the languages of ethnic minorities living in Georgia.

45. The issues of early marriage and its consequences are described in the textbook of Biology for 8th grade, which has been written in accordance with subject program of

Biology in National Curriculum (2011-2016). In the textbook all the risks connected to early marriage are described in physiological and social perspective.

46. The subject program itself doesn't discuss specifically the topic of early marriage, but focuses on the reproductive health, which is closely related to the issues of early marriage.

47. The Ministry of internal Affairs in close cooperation with the Ministry of Education and Science, implements public awareness campaign which envisages interactive meetings with the parents of high school students in the regions with a high risk of early marriage. During the meetings, representatives of relevant governmental and non-governmental organizations emphasize legal and social consequences of child marriage including forced marriage, domestic violence and sexual intercourse with the person under age of 16.¹⁴

8. Regulatory and monitoring measures for private, including religiously affiliated, institutions and small group homes for the care of children

48. In 2014, the special division for monitoring of services was established within the Social Protection Department of the Ministry of Labour, Health and Social Affairs. The division provides systematic monitoring of childcare services, including day care centers, shelters, small group homes and licensed 24 hour institutions. 4 small group homes and 3 institutions subordinated to the Georgian Orthodox Church have been monitored in 2014. 14 small group homes and 1 institution was monitored in 2015. 10 small group homes and 3 institutions subordinated to the Georgian Orthodox Church have been monitored in 2016. After the monitoring, relevant recommendations were given to the management staff of the services in order to improve quality. The division also observes whether the recommendations are being fulfilled. It should be noted that cooperation between social workers and the staff of the small group homes is based on the decree N04-385/O (20.06.2012) of the director of the Social Service Agency "On division of duties and responsibilities of social workers and service providers of a small group homes."

49. As of today, licenses for carrying out child care services for children lacking parental care, are obtained by all 3 institutions subordinated to the Georgian Orthodox Church. Social workers provide assessment of children and their biological families; individual development plans are elaborated to provide relevant services and in order to either reintegrate them with their biological families or transfer them to the alternative services later on. According to the Law on Licensing, child care institutions (including those, subordinated to religious organizations) were not considered as services needing a license, if children living there were not recognized as deprived of parental care, therefore, implementation of the governmental policy in such institutions was limited. In June 2016, Georgian Parliament approved the new law on licensing of child care activities. The new law obliges all child care services, that carry out 24 hour service (including religious institutions), to meet the requirements of the law and regulations before 1 September 2017.

9. Update on the legal status of direct adoption

50. Adoption is carried out according to the law on Adoption and Foster Care and the Decree 50/N (26 February 2010) of the Minister of Labour, Health and Social Affairs of Georgia on procedures and forms of adoption. Current legislation does not envisage trainings for the adoptive parents. There is no further monitoring in cases of internal adoption, whereas in cases of international adoption, the Social Service Agency is obliged (article 26, paragraph 1), based on the special agreement with the central body of the

¹⁴ Adult's sexual intercourse or other contact of sexual character as well as perversion without violence with a person under 16 years is prohibited by Article 140 and Article 141 respectively of the Criminal Code of Georgia.

adoptive country (in case of absence of such kind of agency-licensed proper authorized organization of the adopted country) to request information about the child's health and social conditions annually until the adopted child reaches the age of 18. A new draft law on the child adoption and foster care has been developed within the Parliament in cooperation with the Ministry of Labour, Health and Social Affairs of Georgia and Social Service Agency and was initiated on Parliamentary sessions in September 2016. Draft law envisages prohibition of direct adoption and makes the training courses compulsory for the adoptive parents.

10. Inclusive education

51. The Ministry of Education and Science of Georgia is in the process of developing inclusive education. In accordance with the law of General Education, access to inclusive education for children with special educational needs (SEN) is compulsory. According to the statistic information of July 2016, there are more than 6000 special education students in public schools. The Ministry developed financial system for supporting Inclusive Education at public schools that have the integrated classes for autistic and hearing impaired students as well as for students with multiple disabilities. The Ministry is working on education models for sensory disordered students and alternative curriculum for severe disability students. It also started to develop inclusive Education on Vocational Education level.

52. Multidisciplinary team members make up the staff of the Ministry of Education and Science. Every region of Georgia has its own multidisciplinary mobile team. In overall, there is multidisciplinary group consisting of 57 members throughout the country. The multidisciplinary group consists of specialists of different professions (psychologist, occupational therapist, psychiatrist, special teacher and etc.). In case of the presence of enrolled pupil with special educational needs, a multidisciplinary group defines special educational needs. The team is provided with the salary, personal computer, working place and tests for assessment. Every year they are provided with different trainings.

11. Addressing infant and child mortality

53. According to official data, the under-5 mortality rate has been steadily declining during the last several years. In 2015, under-5 mortality was 10.2 per 1,000 livebirths. Almost 60% of all deaths in children aged under-5 occurred during the neonatal period. Accordingly, management of newborns at neonatal period seems to be the most significant issue.

54. In 2014, the Government adopted Georgian Healthcare System State Concept 2014-2020 "Universal Healthcare and Quality Management for Protection of Patient Rights". One of the main priorities in the State Concept is the support for maternal and child health.

55. To improve accountability and registration of maternal and child mortality cases, since February 2013, the Ministry of Labour, Health and Social Affairs of Georgia has launched maternal and child mortality emergency notification system. The system ensures urgent provision of information of all maternal deaths, deaths of 0-5 years old children and stillbirth cases. Health care facility is obliged to notify the Ministry of Labour, Health and Social Affairs of Georgia by phone call within an hour in case of maternal or 0-5 child death and stillbirths, followed by confirmation of the call by submission of written notification form within 24 hours.

56. For efficiency and improvement of the quality of perinatal services, in 2015, the Ministry of Labour, Health and Social Affairs of Georgia started piloting perinatal regionalization process in two regions (Imereti and Racha-Lechkhumi). This health systems organization and quality improvement reform was launched with support of USAID and

expanded to Tbilisi and Kvemo Kartli regions in 2016. Perinatal regionalization envisages provision of each patient with the quality of maternal and neonatal health services at right time. Expansion of the project is very important for the country for achievement SDG Goals of reducing maternal and infant mortality.

57. In order to implement the reform, on 15 January 2015 by the Decree N01-2/N of the Ministry of Labour, Health and Social Affairs, the regionalization of perinatal service levels and patient referral criteria were approved. In addition, evaluation of Perinatal regionalization service levels was approved and perinatal regionalization committee with prescribed terms and responsibilities has been established by the Decree N01-12/O of the Ministry of Labour, Health and Social Affairs, dated 20 January 2015.

58. Following activities were conducted:

- 20 perinatal service providers in Imereti and Racha-Lechkumi regions were assessed and specific recommendations were provided for the pertinent level of compliance;
- In Imereti region, the 2nd level perinatal clinics significantly improved equipment availability in compliance with standards for level 2 facilities;
- Following the evaluation and standard compliance, 1 facility was assigned the highest level III, 13 facilities level II and 5 facilities level I. Four facilities did not qualify for any level and were provided recommendation to stop the services until standard compliance is achieved;
- Regionalization process monitoring mechanism was developed;
- The participants of the 1st and 2nd level of clinics 60 obstetrician, 65 neonatologist, 55 antenatal care providers obstetrician-gynaecologist, 37 nurses (midwives, obstetric and neonatal nurses) were trained. Level 2 and 3 perinatal service provider clinic obstetricians and neonatologists clinical skills improved through simulation-based training at the national simulation training center and Level 3 neonatal facilities;
- To improve referral communication and provide adequate referral, employees of emergency coordination department of the central office were also trained;
- For the purposes of proper operation and monitoring process, on 7 October 2015, by the Decree N01-289, the Ministry of Labour, Health and Social Affairs has developed “perinatal regionalization monitoring form” according to which perinatal service providers are obliged to ensure appropriate level services and submit monthly form to the Perinatal Regionalization Committee of the Ministry of Labour, Health and Social Affairs. Information is analyzed and feedback is provided to facilities.

59. The completion of nationwide perinatal regionalization is planned in 2018.

60. With the support of the UNICEF, it is planned to pilot home visit model for early detection of developmental delays before the age of 3 in Imereti Region and to ensure timely referral of identified cases to relevant medical institutions.

12. Early childhood care and education

61. Early intervention service for children up to 7 years is financed by the state program. The main goal of the program is to motivate children with developmental delays and strengthen their families in order to prevent disability and abandonment of children. In 2014, there were 11 organizations in 5 municipalities providing early intervention services and in 2015, there were 12 service providers in 6 municipalities. Currently, the service is being provided in 8 municipalities in 14 centers.

62. There were 350 beneficiaries of the program in 2014, 495 were in 2015 and 530 children are beneficiaries of the program in 2016.

63. The Ministry of Labour, Health and Social Affairs of Georgia actively cooperates with the coalition of “Children’s Early Development” which was established by the nongovernmental organizations working in this field. In order to promote development of early intervention services in the country, standards for the service have been elaborated.

64. In cooperation with the UNICEF, the law of Georgia on Early Childhood and Preschool Education and Care was adopted. The law foresees introduction of activities of early and preschool education.

65. In cooperation with the UNICEF and World Vision — Georgia, first drafts of preschool education standards and professional standards for preschool caregiver-pedagogues were developed.

66. In August 2015, school readiness state educational standard (one year before the abovementioned law became effective) was approved; infrastructure, teacher guidebook and methodological resources have been prepared/printed and distributed to municipalities; Training of caregivers is underway. In 2016, with the view to introduce, develop and improve school readiness program, development of the monitoring system was started.

13. Prevention of economic exploitation of children

67. The Government of Georgia pays particular attention to those minors who are living and working in the streets. They might be the subjects of violence, abuse and exploitation, including economic exploitation. To address this issue the Government of Georgia has initiated legal amendments of up to 10 legal acts aiming at creating legal framework to provide children living and/or working in the streets with identification documents and strengthening the role of social workers in case of violence to separate minor from perpetrator/remove the child from family or other environment where the violence was committed. In particular, the elaborated legislative package has two main dimensions:

- It provides the legal definition of children living and/or working in the streets, who are identified and granted the status of homeless children by the Social Worker. Granting the status of homeless children aims at creating a legal basis to provide those kids with identification documents free of charge in order to ensure the access to different state run services, including education, medical, social or other kind of services. The guardianship and custodianship body operating under the Social Service Agency, is authorised to refer the case to the LELP Public Service Development Agency operating under the Ministry of Justice of Georgia (hereinafter — PSDA), entitled for the civil registration, granting the identification documents for homeless children;
- Legal amendments aim at strengthening the role of social worker. According to the new regulations, the social worker is granted the authorization to assess whether a child is the victim of any type of violence and make a decision to remove the child from family or environment where the violence was committed.

68. The legal package on homeless children was adopted by the Parliament of Georgia on 22 June, 2016 and came into force on 10 August 2016.

69. In order to fulfill international obligations and meet the international standards, since 2003 child trafficking is criminalized and foresees criminal liability for sexual and labor exploitation of minors. The sanctions applied for this crime varies from 8 years to life imprisonment.

70. In order to further enhance legal framework in terms of protection of minors against sexual exploitation, pornography and sexual abuse in line with international standards, the Government of Georgia has amended Criminal Code of Georgia.

71. In particular, paragraph 2 of Article 253 criminalizes engagement of a minor knowingly in prostitution by using violence, threat of violence or of destruction of property, blackmail or deception. The commission of this crime is punishable by imprisonment for a term of five to seven years.

72. Article 255 of the Criminal Code of Georgia provides the definition of the child pornographic items and criminalizes purchase, storage, proposal, proliferation, advertising, or making accessible of child pornographic piece or its usage, as well as its production or sale and applies five years of imprisonment as a maximum sanction. The present article also clarifies what should be considered as a child pornography, child pornographic materials and what does not fall within the scope of the present Article.

73. Furthermore, Article 2551 prohibits engaging of minor in illegal production of pornographic piece or other object, as well as in proliferation or advertising of such item or receiving benefit from such activities. Distributing, advertising of pornographic materials, making any commercial deals related to such materials or receiving any kind of benefit from this activity is also criminalized under Article 2551 of the Criminal Code of Georgia. The maximum sanction applied for these offences is also five years of imprisonment.

74. Apart from this, Article 2552 of the Criminal Code of Georgia imposes criminal sanctions for proposing meeting to underage person through any means of communication for any sexual purposes (purpose of commission of crime stipulated by Article 140 (Sexual Intercourse of other Action of Sexual Character with One under Sixteen) or Article 255, paragraph 3, of the Code). The maximum sanction applied for these offences is three years of imprisonment.

75. Also it should be noted that pursuant to the recommendations of Group of Experts on Action against Trafficking in Human Beings (GRETA) the Government of Georgia amended the Law on Combating against Trafficking in April 2012 and added a new chapter to the Law on child victims of trafficking in persons, including individual risk assessment on the basis of the child's best interests

76. A particular attention is paid to raise awareness of children and youngsters about the threats of all types of exploitation in order to prevent the crime. The Government of Georgia prioritizes prevention of trafficking, including sexual exploitation, through enhancement of education in secondary and high schools. In this regard issues related to sexual and labor exploitation is widely covered under the national curriculum for 2011-2016 years. Issues related to human trafficking are also included in subject of social sciences — Civic Education and History.

77. As for the protection of minor victims of sexual exploitation, the role of State Fund for the Protection and Assistance of Victims, Statutory Victims of Human Trafficking (established in 2006) (hereinafter — State Fund) and Social Service Agency under the Ministry of Health, Labor and Social Affairs of Georgia should be mentioned. The shelters for victims of THB (Trafficking in Human Beings) created under the State Fund are well equipped to receive minor victims of human trafficking as well as dependent minors (aged under 18). Within the current setup of the State Fund system in Georgia, unaccompanied children who are the victims of THB are under legal guardianship of Social Service Agency, which takes immediate measures to place them in family-type care (e.g. foster care, small group home, etc.) and considers State Fund Shelters as one of the available temporary resources for accommodation of unaccompanied child. The accompanied children victims of trafficking, including sexual exploitation, and children accompanying the parents who had been trafficked, are provided with State Fund services (Shelter, medical, psychological

and legal assistance, compensation, rehabilitation and reintegration measures). When such a need arises, they are also entitled to receive the appropriate accommodation, age specific education and support programs tailored to their needs. The child victims or accompanied minors placed in the shelters of the State Fund are provided with different services in order to ensure their wellbeing and provide them with proper education (formal/non-formal) through the special programs. Additionally, since August 7, 2015 the newly recruited babysitters/care-takers in THB shelters ensure more child-friendly environment in shelters.

78. For inspecting the conditions of labour, the new department was set up in the Ministry of Labour, Health and Social Affairs of Georgia in 2015. The department manages the “state program of inspecting labour conditions”. In order to extend the mandate of the department, legislative changes have been implemented in the “Georgian law on Entrepreneurs” and in the “Law of Georgia on Combating Human Trafficking”. According to the changes “Procedures of inspection and preventing of forced labour and labour exploitation” were approved. The aim of the inspection is to prevent, identify and respond adequately on the cases of forced labour and labour exploitation (Trafficking). The main goal of inspection is strengthening of mechanisms of combatting labour exploitation and forced labour. According to the rules, the action plan for inspection of forced labour and prevention of exploitation has approved in 2016. Based on the document, there are certain companies selected, where labour inspectors will inspect labour conditions in 2016. Following the plan, inspection was carried out in 69 companies, and 4 companies were inspected additionally. It should be noted, that during inspections no cases of the child forced labour and exploitation (trafficking) were detected.

14. Reporting obligations under the two Optional Protocols to Convention on the Rights of the Child

79. In order to improve reporting obligations of Georgia before UN human rights mechanisms important reforms have been undertaken within the Ministry of Foreign Affairs. Since 2013, the Ministry of Foreign Affairs of Georgia has been designated as a state agency, responsible for coordination of preparation of state reports on the implementation of UN human rights treaties of Georgia. In order to ensure coordinated state reporting process, a special Unit was created within the International Law Department of the Ministry of Foreign Affairs in 2013. Moreover, to facilitate the proper implementation of Georgia’s reporting obligations before the UN treaty-based and charter-based bodies, in 2014 permanent inter-agency working group was set up as the national coordination mechanism, which includes high and mid-level officials from the executive, judiciary and the legislative branches of Georgia. In parallel, relevant trainings were organized for the inter-agency working group members with support of the UNDP.

80. As results of reforms, implementation of Georgia’s reporting obligations have been considerably improved: all reports are submitted within due time to the UN treaty-based and charter-based bodies. In parallel, the Ministry is paying particular attention to the overdue reports. In 2014, Georgia submitted its report under the Convention on the Rights of the Child which was due in July 2011.

81. Following submission its overdue report under the Convention on the Rights of the Child, in 2014, submission of overdue reports on the implementation of the Optional Protocols to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (Submission date 03.09.2012) and on the Sale of Children, Child Prostitution and Child Pornography (Submission date 28.07.2007) is the priority of the Government. The relevant procedures are underway and the reports are planned to be submitted in the nearest future.

Part II

15. Update of the information presented in submitted report

(a) *New bills and laws and their respective regulations*

82. The draft law “on Adoption and Foster care” was developed in 2016 and Initiated in September 2016. Comments from the Ministry of Labour Health and Social affairs were sent to the Parliament in late September 2016. On 8 June 2016, Georgian Parliament passed a new bill “On licensing of child care activities”. On 22 June 2016, amendment was made to the law “On Prevention of Domestic Violence and the Protection of Victims”. New childcare referral procedures was developed and approved in 2016.¹⁵

83. On 12 June 2015, the Parliament adopted Georgia’s first separate and specialized Juvenile Justice Code. The new Code expands the alternatives to criminal prosecution, such as diversion and mediation, and diversifies the sanctions available to judge to ensure that the detention and imprisonment are used only as the measures of the last resort as derived from the principle of the best interests of the child and other international standards under the UN Convention on the Rights of the Child and relevant international instruments.

84. As already mentioned above, one of the recent achievements of the Government of Georgia is the adoption of the legal amendments in up to 10 legal acts aiming at creating legal framework to provide children living and/or working in the streets with identification documents and strengthening the role of social workers to separate minor from perpetrator/remove the child from family in case of violence.

85. Apart from it, in order to provide the homeless children with identification documents, relevant amendments were introduced to the following Orders of the Justice Minister of Georgia: Decree N198 on the Rule of Registration and Removal from Registration of Citizens of Georgia and Aliens Residing in Georgia, Granting Identity (residence) Card, Passport, Travel Passport and Travel Document adopted on 27 July, 2011 and Decree N150 on the Rule of Issuing Temporary Identity Cards adopted on 4 November, 2014. Furthermore, the Governmental Decree N50 was amended in order to ensure the free of charge ID cards for the homeless children and the minor victims of violence. The amendments aim at granting authority to the guardianship and custodianship body operating under the Social Service Agency to refer to the PSDA (LELP Public Service Development Agency — Ministry of Justice) for granting the identification documents for homeless children free of charge.

86. As it was mentioned in Part I, in order to protect children from any type of violence, on 12 September, 2016 the Government of Georgia approved the new Child Protection Referral Mechanism. The Child Protection Referral Mechanism expanded the responsible entities for referring child violence cases to the relevant agencies. In particular, all governmental institutions and their structural units, LEPLs, medical institutions and local municipalities have become obliged to refer the possible case of child violence to the Social Service Agency and the police.

87. The Government of Georgia pays particular attention to the protection of children born through extracorporeal fertilization (surrogacy). Therefore, on 22 March 2016 legal amendments were introduced to the Law of Georgia on the Rules of Leaving Georgia and Arrival to Georgia by Citizens of Georgia and the Law of Georgia on the Legal Status of Foreigners and Stateless Persons. In particular Article 81 was inserted to the Law of Georgia on the Rules of Leaving Georgia and Arrival to Georgia by Citizens of Georgia

¹⁵ More detailed information regarding these reforms is contained in the Part I.

that regulates the provision on removal of a child born in Georgia through extracorporeal fertilization (surrogacy).

88. The aim of the amendments is to:

- Protect the best interests of children born in Georgia through extracorporeal fertilization (surrogacy);
- Prohibit the removal of such children from Georgia by circumvention of the Law;
- Prevent committing any illegal acts against them, including violence, pornography, sexual exploitation, trafficking, etc.

89. According to the amendments taking of a child born in Georgia through extracorporeal fertilization (surrogacy) is possible only when both parents are indicated in the Civil Act of Birth issued by Public Service Development Agency (PSDA). In addition, the rules on the removal of a child born in Georgia through extracorporeal fertilization (surrogacy) was approved upon the Joint Order of the Minister of Justice of Georgia and the Minister of Internal Affairs of Georgia (1133, 1144; 5 April and 11 April 2016). This Joint Order regulates the procedures for taking a child born in Georgia through extracorporeal fertilization (surrogacy), the grounds of the restriction of right to remove the child from Georgia and important aspects of cooperation between the respective units of the Ministry of Internal Affairs and the PSDA to protect the rights and best interests of a child.

90. In addition, according to the new regulations, the data of the children born in Georgia through extracorporeal fertilization (surrogacy) developed by the PSDA is available for the Ministry of Internal Affairs (MIA) which controls the Passport at the Border Crossing Points. If during the passport control the respective employee of MIA detects that the child who is leaving Georgia for the first time is born in Georgia through extracorporeal fertilization (surrogacy) and is included in PSDA data-base but both parents are not indicated in the Civil Act of Birth or PSDA has not registered the Civil Act of Birth on behalf of a child, the authorized official of MIA is obliged to prevent the leaving of child from Georgia.

91. The above-mentioned rule on the removal of a child born in Georgia through extracorporeal fertilization (surrogacy) is in force and applicable since 11 April, 2016.

(b) New institutions (and their mandates) or institutional reforms

92. As already mentioned above, On 7 August 2015, the State Fund amended the internal regulations of each shelter (Tbilisi and Batumi) and introduced the service of babysitter/caretaker for minor victims of human trafficking and for children accompanying their parents. The main tasks of babysitter are to take care of the children and support them in formal/non-formal education — take minors for a walk, ensure their safety while playing with other kids, help them with home-work in needed, etc.

93. The State Fund has recruited 2 babysitters/caretakers in Tbilisi and Batumi shelters to ensure the appropriate care to the minors and let the mother be occupied with other activities as well.

94. With the initiative of the Administration of the Government of Georgia, the Inter-Agency Commission on the Issues of Implementation of the UN Convention on the Rights of the Child is being established. The main purposes of the Commission shall encompass the following fields:

- Elaboration of comprehensive action plan for the protection of the rights of the child, which thereby shall form the part of the governmental action plan on human rights;

- Supporting the Ministry of Foreign Affairs in the process of preparation of reports on the implementation of UN human rights treaties;
- Coordination of agencies and the central and local governments on the issues pertaining to the rights of the child;
- Ensuring the compliance of the Georgian legislation with the principles of the UN Convention on the Rights of the Child;
- Ensuring the implementation of the Convention on the Rights of the Child and thus collecting the relevant data and informing the state agencies about the identified complexities;
- Raising awareness of society on the principles of the Convention on the Rights of the Child.

95. With the invitation of the Chairperson of the Commission, representatives from the legislative and executive authorities and judiciary may participate in the working process as well as the representatives from non-governmental sector and international organizations.

(c) *Recently introduced policies, programmes and action plans and their scope and financing*

96. In August 2015 the Government of Georgia adopted a new Civic Equality and Integration Strategy and Action Plan for 2015-2020. The new strategy is based upon the principle of equality and “more diversity, more integration” approach and aims at contributing to the provision of equality; ensuring full-fledged participation of ethnic minorities’, including ethnic minority children, in all spheres of public life; and preserving their culture and identity:

- The new strategy builds upon earlier experiences and introduces some new approaches;
- It foresees more interaction with majority as well;
- It gives special attention to improving access of ethnic minorities to decision making and public services, including by overcoming language barriers;
- Programs and projects for improving knowledge of state language are enhanced;
- Protection of cultural (linguistic) rights of smaller ethnic minorities groups is envisaged;
- Gender mainstreaming is singled out as an important dimension;
- Concrete steps in the further process of integration of Roma are considered.

97. Equality and civic integration strategy has following major dimensions:

- Participation in civic and political life;
- Access to information and media;
- Creation of equal social and economic conditions and opportunities;
- Access to quality education;
- Preservation of cultural identity.

98. Implementation of the strategy and annual action plan is provided by the relevant government agencies within their profile and competence.

99. In accordance with the Civic Equality and Integration Strategy and Action Plan, the Ministry of Education and Science of Georgia implements systematic and cohesive education policy for ethnic minorities. In particular, national curriculum has been translated

into minority languages; the policy document “Civic Integration through Education” comprising all levels of education has been elaborated; Georgian language program is under implementation at non-Georgian schools that aims at improving state language instruction and civic integration of ethnic minorities, etc.

100. Special educational program aimed at integration of Roma children into formal education is under implementation. Within the “Social Inclusion” Program in the regions populated by Roma educational clubs are established, where Roma children together with their Georgian peers are carrying out various activities, among Georgian language classes, performances, contests. As an outcome of the program, the number of children studying Georgian language has significantly increased, and also the process of their inclusion into formal education is in progress. In 2014, 88 Roma children attended public schools, currently the number has increased up to 155. Along with these activities, active work is carried out with Roma children parents.

101. Standards for small ethnic minority groups’ languages (Ossetian, Avar, Udi, Kurdish, Chechen and Assyrian) have been approved and these languages are introduced in various public schools (upon request).

102. The Ministry of Education and Science of Georgia is carrying out 1+4” program which introduces simplified entry exams in their native languages for the representatives of ethnic minorities to enroll in higher education institutions of Georgia. [Statistical data: According to the official data, in 2010 247 non-Georgian entrants were enrolled at HEIs, in 2011 — 430, in 2012 — 589, while the number for 2013 equaled to 890 students, in 2014 — 673 and 2015 — 741.]

103. The Georgian Anti-Trafficking Policy is focused on so called 4Ps and is committed to adopt efficient measures in order to enhance Prevention, Protection, Prosecution and Partnership. When it comes to the prevention of all kinds of exploitation among inter alia minors, the Common Information Strategy on combating trafficking elaborated by THB Council should be noted, which has specially identified vulnerable target groups, regions and means of implementation. The strategy was approved by the THB Council on February 12, 2014. It should be underlined that such information strategy and action plan is quite unique in our region. The priorities, target audience and key messages were developed at working level meetings among the line ministries and relevant NGOs.

104. When it comes to the cooperation at national and international level, the role of the Interagency Council on Combating Trafficking in Human Beings set up in 2006 remains indispensable in adopting serious and sustainable measures and coordinating inter agency policy in combating THB. The THB Council chaired by the Minister of Justice of Georgia composed of the representatives from all line ministries and agencies Ministry of internal Affairs (MIA), Chief Prosecutor’s Office, Ministry of Foreign Affairs, Ministry of Labor, Health and Social Affairs, Ministry of Economy and Sustainable Development, Ministry of Education and Science, State Ministry on Diaspora Issues, Parliamentary Secretary of the Government of Georgia, LEPL State Fund for the Protection and Assistance of (statutory) Victims of Trafficking and Public Defender’s Office. Furthermore, NGOs and international organizations, as well as the US Embassy to Georgia are actively involved in the working process of the THB Council.

105. The THB Council is also responsible for the elaboration and promotion of implementation of the National Action Plan (NAP) on Combating Human Trafficking. The 2015-2016 NAP ensures special protective measures for the child victims of human trafficking. Currently, new NAP for 2017-2018 is being elaborated.

106. Notably, in December of 2012, the Government of Georgia signed the declaration on Global Alliance against child sexual abuse online, initiated by EU and supported by the USA State Department of Justice. To further demonstrate our political will as the party of

the whole process of combating child sexual abuse online, Minister of Justice and Deputy Minister participated in high level Global Alliance conference.

107. A particular attention is paid to raise awareness of children and youngsters about the threats of all types of exploitation in order to prevent the crime. The Government of Georgia prioritizes prevention of trafficking, including sexual exploitation, through enhancement of education in secondary and high schools. In this regard issues related to sexual and labour exploitation is widely covered under the national curriculum for 2011-2016 years. Issues related to human trafficking are also included in subject of social sciences — Civic Education and History.

108. Additionally, in 2014 and 2015 various educational activities (trainings, public lectures, moot court competitions, round tables, information meetings, summer schools, etc.) were organized for school pupils, teachers and students, various multilingual information leaflets were widely disseminated among minors and teenagers to inform them about the threats of sexual exploitation, the ways how to prevent the crime and to whom they should apply in case of any type of violence against them.

109. Also, on August 10, 2015 the Director of State Fund approved the individual rehabilitation-reintegration plan for minor victims/statutory victims of human trafficking and children accompanying their parents who are the beneficiaries of Shelter.

(d) *Recent ratifications of human rights instruments*

- Convention on the Reduction of Statelessness, 1961, Georgia acceded on 02.04.2014;
- Convention on the Rights of Persons with Disabilities, 2006, Georgia acceded on 12.04.2014;
- Additional Protocol to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, regarding Supervisory Authorities and Trans-border Data Flows, signed on 15.05.2013 by Georgia, ratified by Georgia on 10.01.2014, in force for Georgia since 01.05.2014;
- Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, signed on 12.03.2009 by Georgia, ratified by Georgia on 19.04.2014, in force for Georgia since 01.01.2015;
- Protocol no. 15 amending the Convention on the Protection of Human Rights and Fundamental Freedoms, signed on 19.06.2014 by Georgia, ratified by Georgia on 04.03.2015;
- Protocol no. 16 to the Convention on the Protection of Human Rights and Fundamental Freedoms, signed on 19.06.2014 by Georgia, ratified by Georgia on 04.03.2015;
- Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure, on June 24, 2016, the Parliament of Georgia adopted decree on the accession to the Protocol.

Part III: Available data, statistics and other information

16. Data on financial support for the past three years

110. In 2014, the state budget of Georgia was over 7,539,613,400 Georgian Lari (GEL). 2,174,861,700 GEL, which is 28.8% of the total budget, was allocated for social protection

and 639,501,800 GEL, that is 8.6% of the total budget, has been allocated for families and childcare.

111. The budget of Georgia in 2015 was 8,110, 493.1 GEL. Allocations of the financial resources for the social protection and families and childcare were respectively 2,186,241.0 GEL, 26.9% and 637,120.000 GEL, 7.9%.

112. In 2016, the data includes the following numbers: Budget — 8,543,569,500 GEL, for social protection — 2, 404,029.000 GEL, 28.14%, for families and childcare 687,070,000 GEL, 8.08%.

17. Data on legal, social, educational and criminal situation for the past three years

Statistical data for the past three years (disaggregated by age, sex, ethnic origin, geographic location)

113. In 2014-2016, no reports on cases of discrimination have been reported from the Public Defender's Office to the SSA.

Cases of violence (including sexual and physical) towards child by parents, guardians and by staff of care institution

114. In 2014, 280 cases of violence were reported. Male-138 and female-142, including 54 ethnic minorities. Locations: Tbilisi-94, Kakheti-40, Shida Kartli-27, Qvemo Kartli-25, Imereti-25, Mtskheta-Mtianeti-17, Samegrelo-Zemo Svaneti-14, Guria-13, Samtskhe-Javakheti-10, Atchara-9, Racha-Lechkhumi-6. By types of violence: physical-71, psychological-95, neglect-73, sexual-3, abandonment-28, forcing-9 and economical-1. 2 cases of physical violence by the staff of care institution were reported. 1-female and male. Geographic location: Tbilisi-1, Kakheti-1.

115. In 2015, 448 cases of violence by parents or/and guardian have been reported. Female-222 and male-226. 66 of them were from ethnic minorities. Location: Tbilisi-144, Kakheti-34, Shida Kartli-48, Qvemo Kartli-54, Imereti-94, Mtskheta-Mtianeti-18, Samegrelo-Zemo Svaneti-17, Samtskhe-Javakheti-6, Atchara-29, Racha-Lechkhumi-4. Types of violence: physical-108, psychological-199, neglect-117, sexual-3, abandonment-17, forcing-4. 2 cases of sexual violence by the staff of institutions have been reported, 1-female and male. Location: Tbilisi-1, Kakheti-1.

116. In 2016, 218 cases of violence by parents or/and guardian have been reported: female-105 and male-113. Ethnic minorities-20. Location: Tbilisi-69, Kakheti-1, Shida Kartli-33, Qvemo Kartli-25, Imereti-37, Mtskheta-Mtianeti-15, Samegrelo-Zemo Svaneti-9, Samckhe-Javakheti-8, Atchara-13, Racha-Letchkhumi-5, Guria-3. Types of violence: physical-60, psychological-66, neglect-73, sexual-3, abandonment-12, forcing-4. 3 cases of physical violence by the staff of institutions have been reported. 1-female and male. Location: Tbilisi-1, Kakheti-1.

Child neglect and violence cases in care institutions and in alternative services

117. In 2014: There were 4 cases reported (male-2, female-2); location: Tbilisi-2, Racha-Lechkhumi-1. Type of violence: physical-3, sexual-1.

118. In 2015: There were 3 cases reported (male-1, female-2); location: Tbilisi-2, Racha-Letchkhumi-1. Type of violence: psychological-1, sexual-2.

119. In 2015: There were cases 7 reported (male-5, female-2); location: Imereti-2, Tbilisi-1, Kakheti-4, Type of violence: physical.

Data on children in detention facilities and penitentiary institutions, including closed correctional facilities

Juvenile inmates of the Temporary Detention Isolator (TDI) of the Ministry of Internal Affairs

<i>Year</i>	<i>Female juvenile</i>	<i>Male Juvenile</i>	<i>Total</i>
2013			338
2014	6	332	338
2015	3	249	332
2016 (6 month)	1	63	64

Number of Juveniles held in penitentiary establishments

	<i>Year 2013 (as of December 31)</i>	<i>Year 2014 (as of December 31)</i>	<i>Year 2015 (as of December 31)</i>	<i>Year 2016 (as of June 30)</i>
Male Juveniles	75	83	35	24
	Including: 25 pre-trial and 50 convicted juveniles	Including: 36 pre-trial and 47 convicted juveniles	Including: 15 pre-trial and 20 convicted juveniles	Including: 5 pre-trial and 19 convicted juveniles
Inmates between 14-16 years old	20	18	3	4
Inmates between 16-18 years old	55	65	32	20
Female Juveniles	0	0	0	0

Number of Juveniles released by the years

	<i>Year 2013</i>	<i>Year 2014</i>	<i>Year 2015</i>	<i>Year 2016 (as of June 2016)</i>
Amnesty	25	0	0	0
Pardon	15	12	10	5
Parole Board	34	21	28	7

<i>Year</i>	<i>Citizenship</i>	<i>Sex</i>	<i>Form of exploitation</i>	<i>Age</i>	<i>Destination country of exploitation</i>
2013	Georgia	Female	Sexual	12	Georgia
2014	Kirgizstan	Female	Sexual	17	Georgia
2015	Georgia	Female	Buying and selling of minor	Infant	Georgia
	Georgia	Female	Buying and selling of minor	Infant	Georgia

120. In 2013-2016 (October), the Central Authority designated under the 1980 Hague Convention on the Civil Aspects of the International Child Abduction dealt with 17 cases of child abduction/retention. 8 child abduction cases were based on outgoing applications, 9 cases were based on incoming applications. The exact data of the children are as follows:

<i>Year</i>	<i>Citizenship</i>	<i>Sex</i>	<i>Form of application</i>	<i>Age</i>	<i>Country of child location</i>
2013	Georgia	Female	Outgoing	9	Italy
2013	Georgia	Female	Outgoing	9	Latvia
2014	Georgia/Germany	Female	Incoming	6	Georgia
2014	Greece	Male	Incoming	4	Georgia
2014	Georgia/Netherlands	Male	Incoming	12	Georgia
2015	Georgia/Canada	Male	Incoming	3	Georgia
2015	Georgia	Female	Outgoing	4	Israel
2015	Georgia	Female and Male	Incoming	2 and 4	Georgia
2015	Armenia	Two Females	Incoming	7 and 10	Georgia
2015	Ukraine	Male	Incoming	3	Georgia
2015	Georgia	Three Males	Incoming	4, 8 and 10	Georgia
2015	Georgia	Female	Outgoing	3	Turkey
2015	Georgia	Male	Outgoing	10	Turkey/France
2016	Georgia	Female	Outgoing	4	Turkey
2016	Georgia	Male	Outgoing	10	Germany
2016	Germany	Female	Incoming	4	Georgia
2016	Ukraine	Male	Outgoing	6	Georgia

18. Data on the situation of children deprived of a family environment for the past three years

121. According to the data of the general census, the number of children in Georgia is 917 351, considering that: 1 730 children are beneficiaries of different state care services, 282 children live in institutions subordinated to the Georgian Orthodox Church (information about the number of minors living in institutions subordinated to other religious confessions are not available). Accordingly, we can assume, that approximately 915 000 children live with their families.

Number of beneficiaries in the state care (big institution, small group homes, foster care)

<i>Year</i>	<i>Total number</i>	<i>Female</i>	<i>Male</i>
2014	1 628	892	736
2015	1 653	935	718
2016	1 730	1008	722

122. Statistics on children living with single parent are not available in the Social Service Agency.

Number of beneficiaries in institutions (big orphanages and small group houses) from 0 to 18 years old

<i>Year</i>	<i>Total number</i>	<i>Female</i>	<i>Male</i>
2014	428	166	262
2015	415	170	245
2016	414	172	242

Number of children placed with foster families from the age of 0 to 18

<i>Year</i>	<i>Total number</i>	<i>Female</i>	<i>Male</i>	<i>Disabled</i>
2014	1 200	726	474	161
2015	1 238	776	464	181
2016	1 316	815	501	194

Internal adoption

<i>Year</i>	<i>Total number</i>	<i>Female</i>	<i>Male</i>
2014	176	92	84
2015	165	98	67
2016	69	38	31

International adoption

<i>Year</i>	<i>Total number</i>	<i>Female</i>	<i>Male</i>
2014	5	2	3
2015	6	4	2
2016	3	2	1

19. Data on children with disabilities for the past three years

123. After the deinstitutionalization, only 2 large orphanages for children with severe and profound disabilities remain in Georgia. Development of the family type services based on individual needs of these children is in its final stage. Pilot service will be launched in 2016 and at least one more service will be opened in 2017.

Number of disabled children in big institutions

<i>Year</i>	<i>Total number</i>	<i>Female</i>	<i>Male</i>
2014	84	26	58
2015	86	27	59
2016	88	27	61

Disabled children in a small group houses

<i>Year</i>	<i>Total number</i>	<i>Female</i>	<i>Male</i>
2014	14	6	8
2015	22	13	9
2016	24	15	9

124. Regarding the services available in different geographical areas of the country: small group houses are in every region, except Samtskhe-Javakheti. Foster care service is available in every region of Georgia.

125. 13 children were recognized by the Court as abandoned by parents in 2014 and 8 in 2015, and according to data of June, 2016, 8 children.

20. Priority areas with regard to the implementation of the Convention

126. The human rights situation in the occupied territories of Abkhazia and Tskhinvali Region/South Ossetia is concerning, the most vulnerable are ethnic Georgians whose rights are severely violated. In particular, the process of education in native Georgian language for ethnic-Georgians has been suspended in Gali district and it was substituted by Russian language, respectively. Since 2015-2016 academic year the remaining 11 Georgian language schools moved into Russian language instruction. Over 90% of teachers and personnel and 97% of pupils as well are ethnic Georgians and most of them even have no command of Russian language.

127. Ethnic minorities in Georgia have access to all stages of education (preschool, general, higher and professional), also in their native languages (Azerbaijani, Armenian, Russian). Also, along with provision of education in different subjects the educational programs and activities aim at retaining their identity, supporting teaching state language and encourage civic integration.

128. There are 212 non-Georgian language public schools and 79 non-Georgian language sectors functioning in Georgia (it constitutes 14% of all public schools nationwide), where the overall number of schoolchildren equals to 34257. (According to 2014 Census data, 13.2 % of the total population belongs to ethnic minorities).

129. The Government of Georgia is highly committed to adequately protect human rights and freedoms throughout its entire territory including the occupied regions. For years, the Georgian authorities have been advocating the involvement of international organizations in the issue of the protection of human rights in the occupied regions of Georgia. The Georgian government continues to emphasize the significance of the access of international human rights monitoring mechanisms in Abkhazia, Georgia and Tskhinvali Region/South Ossetia, Georgia. At the 32nd and 33rd Sessions of the Human Rights Council Georgia initiated a Joint Statement underlining the necessity of unimpeded access to the occupied regions. It is noteworthy that the UN High Commissioner for Human Rights, in his opening statement within the 33rd HRC Session expressed deep concern over the repeated refusals to permit access for his staff to both Abkhazia and Tskhinvali Regions by those in effective control. It is deplorable that the European Union Monitoring Mission (EUMM) in Georgia is prevented from monitoring inside the occupied regions, as provided by the Mission's mandate. The occupying power, exercising effective control, continues to prevent numerous international organizations, including humanitarian, from entering those territories. Recently the UN Special Rapporteur on the human rights of internally displaced persons, paying a follow-up visit to Georgia, has been denied access to Abkhazia and Tskhinvali regions. Existing dire situation clearly demonstrates the urgent need of the active involvement of the OHCHR and Special Procedures mandate holders.